

TECHNITION



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

2016 APR 18 AM 10:49

April 18, 2016 **SENSITIVE**

MEMORANDUM

TO: The Commission

THROUGH: Alec Palmer *SWH/fo*
Staff Director

FROM: Patricia C. Orrock *PO/nmc*
Chief Compliance Officer

Debbie Chacona *DC/nmc*
Assistant Staff Director
Reports Analysis Division

BY: *KDR* Kristin D. Roser/Marlene Colucci *M.C.*
Reports Analysis Division
Compliance Branch

SUBJECT: Reason To Believe Recommendation – 2016 12 Day Pre-Primary
Report (Texas) for the Administrative Fine Program

Attached is a list of political committees and their treasurers who failed to timely file the 2016 12 Day Pre-Primary Report for the Texas Primary Election in accordance with 52 U.S.C. § 30104(a). The 12 Day Pre-Primary Report was due on February 18, 2016 and the Primary Election was held on March 1, 2016.

The committees listed on the attached RTB Circulation Report failed to file the election sensitive report by the required due date. Election sensitive reports filed more than four days prior to the election are considered late, and reports not filed more than four days prior to the election are considered not filed. In accordance with the schedule of civil money penalties for reports at 11 CFR § 111.43, these committees should be assessed the civil money penalties highlighted on the attached circulation report.

An explanation of the civil money penalties calculation for the committees that failed to file the report is outlined below:

The committee (AF 3052) represents a candidate that participated in the 2016 Primary in Texas's House Race. The committee was required to file a 2016 12 Day Pre-Primary Report (12P) covering January 1, 2016 through February 10, 2016 (41 days). In order to determine the civil money penalty, an estimated level of activity was calculated using a per diem average by multiplying the previous activity reported for the 2015-2016 election cycle (\$102,363) by 53.25% (the number of days required in 12P (41) divided by the number of days included in the Committee's 2015-2016 election cycle reports (77)).

Recommendation

1. Find reason to believe that the political committees and their treasurers, in their official capacity, listed on the RTB Circulation Report violated 52 U.S.C. § 30104(a) and make a preliminary determination that the civil money penalties would be the amounts indicated on the RTB Circulation Report.
2. Send the appropriate letters.

Federal Election Commission
Reason to Believe Circulation Report
2016 PRE-PRIMARY Election Sensitive 02/18/2016 AUTH (TX)

AF#	Committee ID	Committee Name	Candidate Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTB Penalty
3052	C0059846	GREG GARRETT FOR CONGRESS	GREGORY KEITH GARRETT	GARY LINKER	\$102,363	0		Not Filed	\$54,508 (est)	\$3,300

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
Reason To Believe Recommendation –)
2016 12 Day Pre-Primary Report for the)
Administrative Fine Program (Texas):)

GREG GARRETT FOR CONGRESS, and) AF# 3052
LINKER, GARY as treasurer;)

CERTIFICATION

I, Shawn Woodhead Werth, Secretary and Clerk of the Federal Election Commission, do hereby certify that on April 20, 2016 the Commission took the following actions on the Reason To Believe Recommendation – 2016 12 Day Pre-Primary Report for the Administrative Fine Program (Texas) as recommended in the Reports Analysis Division's Memorandum dated April 18, 2016, on the following committees:

AF#3052 Decided by a vote of 6-0 to: (1) find reason to believe that GREG GARRETT FOR CONGRESS, and LINKER, GARY, in his official capacity as treasurer, violated 52 U.S.C. 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

Attest:

April 21, 2016
Date

Shawn Woodhead Werth
Shawn Woodhead Werth
Secretary and Clerk of the Commission



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 21, 2016

Gary Linker, in official capacity as Treasurer
Greg Garrett for Congress
4010 95th Street
Lubbock, TX 79423

C00589846
AF#: 3052

Dear Mr. Linker:

The Federal Election Campaign Act of 1971, as amended ("the Act"), requires that your committee file a 12 Day Pre-Primary Report of Receipts and Disbursements in any calendar year during which there is a regularly scheduled election for which the candidate is seeking election or nomination for election. This report, covering the period through January 1, 2016 through February 10, 2016, shall be filed no later than February 18, 2016. 52 U.S.C. 30104(a). Records at the Commission indicate that this report was not filed prior to four (4) days before the election. You should file the report if you have not already done so.

The Act permits the FEC to impose civil money penalties for violations of the reporting requirements of 52 U.S.C. § 30104(a). 52 U.S.C. § 30109g(a)(4). On April 20, 2016, the FEC found that there is reason to believe ("RTB") that Greg Garrett for Congress and you, in your official capacity as treasurer, violated 52 U.S.C. § 30104(a) by failing to file timely this report on or before February 18, 2016. Based on the FEC's schedules of civil money penalties at 11 CFR § 111.43, the amount of your civil money penalty calculated at the RTB stage is \$3,300. Please see the attached copy of the Commission's administrative fine regulations at 11 CFR §§ 111.30-111.55. Attachment 1. The Commission's website contains further information about how the administrative fine program works and how the fines are calculated. See <http://www.fec.gov/af/af.shtml>. 11 CFR § 111.34. Your payment of \$3,300 is due within forty (40) days of the finding, or by May 30, 2016, and is based on these factors:

Sensitivity of Report: Election Sensitive
Level of Activity: \$54,508
Number of Days Late: Not Filed
Number of Previous Civil Money Penalties Assessed: 0

At this juncture, the following courses of action are available to you:

6. If You Choose to Challenge the RTB Finding and/or Civil Money Penalty

If you should decide to challenge the RTB finding and/or calculated civil money penalty, you must submit a written response to the FEC's Office of Administrative Review, 999 E Street,

NW, Washington, DC 20463. Your response must include the AF# (found at the top of page 1 under your committee's identification number) and be received within forty (40) days of the Commission's RTB finding, or May 30, 2016. 11 CFR § 111.35(a). Your written response must include the reason(s) why you are challenging the RTB finding and/or calculated civil money penalty, and must include the factual basis supporting the reason(s) and supporting documentation. The FEC strongly encourages that documents be submitted in the form of affidavits or declarations. 11 CFR § 111.36(c).

The FEC will only consider challenges that are based on at least one of three grounds: (1) a factual error in the RTB finding; (2) miscalculation of the calculated civil money penalty by the FEC; or (3) your demonstrated use of best efforts to file in a timely manner when prevented from doing so by reasonably unforeseen circumstances that were beyond your control. 11 CFR § 111.35(b). In order for a challenge to be considered on the basis of best efforts, you must have filed the required report no later than 24 hours after the end of these reasonably unforeseen circumstances. *Id.* Examples of circumstances that will be considered reasonably unforeseen and beyond your control include, but are not limited to: (1) a failure of Commission computers or Commission-provided software despite your seeking technical assistance from Commission personnel and resources; (2) a widespread disruption of information transmissions over the Internet that is not caused by a failure of the Commission's or your computer systems or Internet service provider; and (3) severe weather or other disaster-related incident. 11 CFR § 111.35(c). Examples of circumstances that will not be considered reasonably unforeseen and beyond your control include, but are not limited to: (1) negligence; (2) delays caused by vendors or contractors; (3) treasurer and staff illness, inexperience or unavailability; (4) committee computer, software, or Internet service provider failures; (5) failure to know filing dates; and (6) failure to use filing software properly. 11 CFR § 111.35(d).

The "failure to raise an argument in a timely fashion during the administrative process shall be deemed a waiver" of your right to present such argument in a petition to the U.S. District Court under 52 U.S.C. § 30109. 11 CFR § 111.38.

If you intend to be represented by counsel, please advise the Office of Administrative Review. You should provide, in writing, the name, address and telephone number of your counsel and authorize counsel to receive notifications and communications relating to this challenge and imposition of the calculated civil money penalty.

7. If You Choose Not to Pay the Civil Money Penalty and Not to Submit a Challenge

If you do not pay the calculated civil money penalty and do not submit a written response, the FEC will assume that the preceding factual allegations are true and make a final determination that Greg Garrett for Congress and you, in your official capacity as treasurer, violated 52 U.S.C. § 30104(a) and assess a civil money penalty.

Unpaid civil money penalties assessed through the Administrative Fine regulations will be subject to the Debt Collection Act of 1982 ("DCA"), as amended by the Debt Collection Improvement Act of 1996, 31 U.S.C. § 3701 *et seq.* The FEC may take any and all appropriate action authorized and required by the DCA, as amended, including transfer to the U.S. Department of the Treasury for collection. 11 CFR § 111.51(a)(2).

8. If You Choose to Pay the Civil Money Penalty

If you should decide to pay the calculated civil money penalty, follow the payment instructions on page 4 of this letter. You should make payment within 30 days of receipt of this letter.

NOTICE REGARDING PARTIAL PAYMENTS AND SETTLEMENT OFFERS

9. Partial Payments

If you make a payment in an amount less than the calculated civil money penalty, the amount of your partial payment will be credited towards the full civil money penalty that the Commission assesses upon making a final determination.

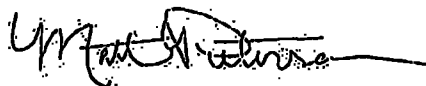
10. Settlement Offers

Any offer to settle or compromise a debt owed to the Commission, including making a payment in an amount less than the calculated civil money penalty assessed or any restrictive endorsements contained on your check or money order or proposed in correspondence transmitted with your check or money order, will be rejected. Acceptance and deposit or cashing of such a restricted payment does not constitute acceptance of the settlement offer. Payments containing restrictive endorsements will be deposited and treated as a partial payment towards the civil money penalty that the Commission assesses upon making a final determination. All unpaid civil money penalty amounts remaining will be subject to the debt collection procedures set forth in Section 2, above.

This matter was generated based on information ascertained by the FEC in the normal course of carrying out its supervisory responsibilities. 52 U.S.C. § 30109(a)(2). Unless you notify the FEC in writing that you wish the matter to be made public, it will remain confidential in accordance with 52 U.S.C. § 30109(a)(4)(B) and 30109(a)(12)(A) until it is placed on the public record at the conclusion of this matter in accordance with 11 CFR § 111.42.

As noted earlier, you may obtain additional information on the FEC's administrative fine program, including the final regulations, on the FEC's website at <http://www.fec.gov/af/af.shtml>. If you have questions regarding the payment of the calculated civil money penalty, please contact Marlene Colucci in the Reports Analysis Division at our toll free number (800) 424-9530 (at the prompt press 5) or (202) 694-1130. If you have questions regarding the submission of a challenge, please contact the Office of Administrative Review at our toll free number (800) 424-9530 (press 0, then ext. 1660) or (202) 694-1660.

On behalf of the Commission,



Matthew S. Petersen
Chair

ADMINISTRATIVE FINE REMITTANCE & PAYMENT INSTRUCTIONS

In accordance with the schedule of penalties at 11 CFR § 111.43, the amount of your civil money penalty calculated at RTB is \$3,300 for the 2016 Pre-Primary Report. The payment is due within 30 days of receipt of this letter.

You may remit payment by ACH withdrawal from your bank account, or by debit or credit card through Pay.gov, the federal government's secure portal for online collections. Visit www.fec.gov/af/pay.shtml to be directed to Pay.gov's Administrative Fine Program Payment form.

This penalty may also be paid by check or money order, made payable to the Federal Election Commission. It should be sent by mail to:

Federal Election Commission
P.O. Box 979058
St. Louis, MO 63197-9000

If you choose to send your payment by courier or overnight delivery, please send to:

U.S. Bank - Government Lockbox
FEC #979058
1005 Convention Plaza
Attn: Government Lockbox, SL-MO-C2GL
St. Louis, MO 63101

PAYMENTS BY PERSONAL CHECK

Personal checks will be converted into electronic funds transfers (EFTS). Your account will be electronically debited for the amount on your check, usually within 24 hours, and the debit will appear on your regular statement. We will destroy your original check and keep a copy of it. In case the EFT cannot be processed for technical reasons, you authorize us to process the copy in lieu of the original check. Should the EFT not be completed because of insufficient funds, we may try to make the transfer twice.

PLEASE DETACH AND RETURN THE PORTION BELOW WITH YOUR PAYMENT

FOR: Greg Garrett for Congress

FEC ID#: C00589846

AF#: 3052

PAYMENT DUE DATE: May 30, 2016

PAYMENT AMOUNT DUE: \$3,300

27 MAY '16 RCVD

May 17, 2106

FEC Office of Administrative Review
999 E Street NW
Washington, DC 20463

AF# 3052

Matthew S. Petersen,

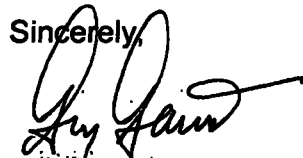
Regarding your letter of April 21, 2016, I ask that you reconsider the penalty for late filing by accepting the following explanation for the delay in filing.

During the campaign, my personal assistant was responsible for all documentation, processing of paperwork and funds, and communicating with my treasurer, Gary Linker. Prior to the February deadline, her father became terminally ill and she took responsibility for his care. We discussed the time needed to complete the necessary paperwork and she gave her personal commitment to meet all deadlines. Upon receipt of your letter, Mrs. Smith resigned. Up to that point, I was led to believe that all terms of our agreement had been met, only to discover they were not. Within 48 hours of receipt of your letter, I mailed and delivered all information to my treasurer, and all reports were immediately filed. Because of this situation, I am again requesting your reconsideration, but I will respectfully comply with your decision.

Should you decline my petition, would you agree to a recalculation of the penalty? Based on the information filed, I was told the penalty would be decreased to \$1,400.

Thank you for your time and attention to this matter. I look forward to hearing from you soon.

Sincerely,



Greg Garrett
President
Platinum Bank



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 22, 2016

**REVIEWING OFFICER RECOMMENDATION
OFFICE OF ADMINISTRATIVE REVIEW ("OAR")**

AF# 3052 – Greg Garrett for Congress and Gary Linker, in his official capacity as Treasurer (C00589846)

Summary of Recommendation

Take no further action that Greg Garrett for Congress and Gary Linker, in his official capacity as Treasurer, violated 52 U.S.C. § 30104(a) and close the file.

Reason-to-Believe Background

The 2016 Texas Pre-Primary Report was due on February 18, 2016. The Committee filed the report on April 22, 2016, 64 days late. The report is election sensitive and was not filed prior to four days before the Texas Primary Election held on March 1, 2016; therefore, the report is considered not filed. 11 C.F.R. §§ 111.43(d)(1) and (e)(2).

On April 20, 2016, the Commission found reason to believe ("RTB") that the respondents violated 52 U.S.C. § 30104(a) for failing to timely file the 2016 Texas Pre-Primary Report and made a preliminary determination that the civil money penalty was \$3,300 based on the schedule of penalties at 11 C.F.R. § 111.43. A letter was mailed to the respondents' address of record from the Reports Analysis Division ("RAD") on April 21, 2016 to notify them of the Commission's RTB finding and civil money penalty.

Legal Requirements

The Federal Election Campaign Act ("Act") states that the treasurer of a principal campaign committee shall file a pre-election report no later than 12 days before any primary election in which the candidate seeks election. 52 U.S.C. § 30104(a)(2)(A)(i) and 11 C.F.R. § 104.5(a)(2)(i). Reports electronically filed must be received and validated at or before 11:59 pm Eastern Standard/Daylight Time on the filing deadline to be timely filed. 11 C.F.R. §§ 100.19(c) and 104.5(e). The treasurer shall be personally responsible for the timely filing of reports. 11 C.F.R. § 104.14(d).

Summary of Respondents' Challenge

On May 27, 2016, the Commission received the written response ("challenge") from the Candidate requesting that the Commission reconsider the penalty. The Candidate explains:

During the campaign, my personal assistant was responsible for all documentation, processing of paperwork and funds, and communicating with my treasurer, Gary Linker.

Prior to the February deadline, her father became terminally ill and she took responsibility for his care. We discussed the time needed to complete the necessary paperwork and she gave her personal commitment to meet all deadlines. Upon receipt of your letter, Mrs. Smith resigned. Up to that point, I was led to believe that all terms of our agreement had been met, only to discover they were not. Within 48 hours of receipt of your letter, I mailed and delivered all information to my treasurer, and all reports were immediately filed.

Counsel also requests that if the fine is not waived, that it be reduced to \$1,400 based on the activity disclosed on the report.

Analysis

The 2016 Texas Pre-Primary Report was due on February 18, 2016. Reports Analysis Division ("RAD") telecoms (written records of telephone conversations) indicate that the Candidate was notified of the missing report during a conversation with a RAD Analyst on April 8, 2016, and the Treasurer was subsequently notified of the missing report during a conversation on April 12, 2016. On April 14, 2016, RAD sent the non-filer notification to the Committee's address of record. On April 21, 2016, RAD sent the RTB Letter to the Committee's address of record. On April 22, 2016, the Committee filed the 2016 Texas Pre-Primary Report, 64 days late.

With respect to the contentions made in the challenge, the Reviewing Officer recognizes the respondents may have been under the impression that staff was timely filing the required FEC reports, and they may have been unfamiliar with the 2016 Texas Pre-Primary Report filing requirements. However, the Reviewing Officer notes that a committee's treasurer shall be personally responsible for the timely filing of reports. 11 C.F.R. § 104.14(d). Moreover, failure to know filing dates, and inexperience or unavailability of a committee's treasurer or staff are included at 11 C.F.R. § 111.35(d) as examples of circumstances that will not be considered reasonably unforeseen and beyond the respondents' control.

However, further analysis of Commission records indicates that the Commission did not treat the respondents in accordance with its normal course of business. According to the Assistant Staff Director of RAD, a technical error resulted in the Committee not being appropriately linked to the 2016 Texas Primary Election in the Commission's database. Therefore, the respondents did not receive the standard pre- and post-filing deadline notifications for the 2016 Texas Pre-Primary Report. The Commission's Information Division did not include the Committee in its January 27, 2016 email distribution of the 2016 Texas Pre-Primary Report Notice. In addition, the Commission's Electronic Filing Office did not include the Committee in its February 19, 2016 email distribution of the 2016 Texas Pre-Primary Report late filing notification. Further, RAD did not include the Committee in its February 19, 2016 distribution of non-filer notifications for the 2016 Texas Pre-Primary Report. Once RAD was made aware of the technical issue on April 14, 2016, it immediately sent the non-filer notification to the Committee's address of record.

Had these notifications been appropriately sent to the email addresses disclosed on the Committee's Statement of Organization, the respondents would have been notified of the 2016 Texas Pre-Primary Report filing requirement prior to the deadline and also notified of the failure to file the report the day following the filing deadline. The Reviewing Officer recognizes the Committee may have been able to timely file the report if it was treated according to the Commission's normal course of business. Therefore, the Reviewing Officer recommends that the Commission take no further action and close the file.

OAR Recommendations

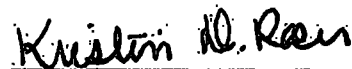
- 1) Take no further action in AF# 3052 that Greg Garrett for Congress and Gary Linker, in his official capacity as Treasurer, violated 52 U.S.C. § 30104(a) and close the file; and
- 2) Send the appropriate letter.

Attachments

- Attachment 1 –
- Attachment 2 –
- Attachment 3 –
- Attachment 4 –
- Attachment 5 – Declaration from RAD ;
- Attachment 6 – Declaration from OAR

DECLARATION OF KRISTIN D. ROSER

1. I am the Chief of the Compliance Branch for the Reports Analysis Division of the Federal Election Commission ("Commission"). In my capacity as Chief of the Compliance Branch, I oversee the initial processing of the Administrative Fine Program. I make this declaration based on my personal knowledge and, if called upon as a witness, could and would testify competently to the following matters.
2. It is the practice of the Reports Analysis Division to document all calls to or from committees regarding a letter they receive or any questions relating to the FECFile software or administrative fine regulations, including due dates of reports and filing requirements.
3. I hereby certify that documents identified herein are true and accurate copies of the following sent by the Commission to Greg Garrett for Congress:
 - A) Non-Filer Letter, dated April 14, 2016, referencing the 2016 12 Day Pre-Primary Report (sent via regular mail to: Committee's address of record);
 - B) Reason-to-Believe Letter, dated April 21, 2016 referencing the 2016 12 Day Pre-Primary Report (sent via overnight mail to the address of record).
4. I hereby certify that I have searched the Commission's public records and find that Greg Garrett for Congress filed the 2016 12 Day Pre-Primary Report with the Commission on April 22, 2016.
5. Pursuant to 28 U.S.C. 1746, I declare under penalty of perjury that the foregoing is true and correct and that all relevant telecoms for the matter have been provided. This declaration was executed at Washington, D.C. on the 2nd day of June, 2016.



Kristin D. Roser
Chief, Compliance Branch
Reports Analysis Division
Federal Election Commission



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 14, 2016

RQ-7

GARY LINKER, TREASURER
GREG GARRETT FOR CONGRESS
4010 95TH STREET
LUBBOCK, TX 79243

IDENTIFICATION NUMBER: C00589846

REFERENCE: 12 DAY PRE-PRIMARY REPORT 1/1/2016 - 2/10/2016

Dear Treasurer:

It has come to the attention of the Federal Election Commission that you may have failed to file the above referenced report of receipts and disbursements as required by the Federal Election Campaign Act, as amended.

You will be allowed until 5:00 pm est on the fourth (4th) business day from the date of this notice to file this report to avoid publication. If you have already filed the report by express, certified or registered mail or are planning to file it within four (4) business days from the date of this notice, please notify us immediately of the certified, registered or express tracking number and the date that the report was sent.

The report must be filed with the Federal Election Commission, 999 E Street, N.W., Washington, DC 20463 for House candidates, or the Secretary of the Senate, 232 Hart Senate Office Building, Washington, DC 20510 (if sent via overnight delivery service) or Senate Office of Public Records, P.O. Box 77578, Washington, DC 20013-7578 (if sent via USPS) for Senate Candidates. Please note that electronic filers must submit their reports electronically, as per 11 CFR §104.18. A copy of the report must also be filed with the Secretary of State or equivalent State officer unless the state is exempt from the federal requirement to receive and maintain paper copies. You can verify the Commission's receipt of any documents submitted by your committee on the FEC website at www.fec.gov.

In addition, the failure to timely file this report may result in civil money penalties, an audit or other legal enforcement action. The civil money penalty calculation for late reports does not include a grace period and begins on the day following the due date for the report.

If you have any questions regarding this matter, please contact Chris Ritchie in the Reports Analysis Division on our toll free number (800)424-9530. Our local number is (202)694-1130.

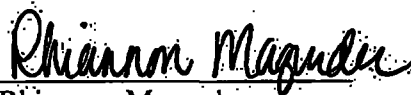
Sincerely,

Debbie Chacona

Debbie Chacona
Assistant Staff Director
Reports Analysis Division (RAD)

DECLARATION OF RHIANNON MAGRUDER

- 1) I am the Reviewing Officer in the Office of Administrative Review for the Federal Election Commission ("Commission"). In my capacity as Reviewing Officer, I conduct research with respect to all challenges submitted in accordance with the Administrative Fine program.
- 2) A principal campaign committee shall file a pre-election report no later than 12 days before any primary election in which the candidate seeks election. Reports filed electronically must be received and validated at or before 11:59 pm, Eastern Standard/Daylight Time on February 18, 2016 for the 2016 Texas Pre-Primary Report to be timely filed.
- 3) I hereby certify that I have searched the Commission's public records and that the documents identified herein are the true and accurate copies of:
 - a) Page 1 of the Statement of Organization filed by Greg Garrett for Congress and Gary Linker, in his official capacity as Treasurer. The report was electronically filed on October 16, 2015.
 - b) Cover page, Summary Page, and Detailed Summary Pages of the 2016 Pre-Primary Report filed by Greg Garrett for Congress and Gary Linker, in his official capacity as Treasurer. The report was electronically filed on April 22, 2016.
- 4) Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed at Washington, D.C. on the 22nd day of July, 2016.


Rhiannon Magruder
Reviewing Officer
Office of Administrative Review
Federal Election Commission

**FEC
FORM 1****STATEMENT OF
ORGANIZATION**

Office Use Only

1. NAME OF COMMITTEE (in full) (Check if name is changed) Example: If typing, type over the lines. 12FE4M5

Greg Garrett for Congress

ADDRESS (number and street)

4010 95th Street

◀ (Check if address is changed)

Lubbock

CITY ▲

TX

STATE ▲

79423

ZIP CODE ▲

COMMITTEE'S E-MAIL ADDRESS

◀ (Check if address is changed)

greggarrettforcongress@gmail.com

Optional Second E-Mail Address

garyl@dwilliams.net

COMMITTEE'S WEB PAGE ADDRESS (URL)

◀ (Check if address is changed)

www.greggarrettforcongress.com

2. DATE 10 15 2015

3. FEC IDENTIFICATION NUMBER ▶ C C00589846

4. IS THIS STATEMENT X NEW (N) OR AMENDED (A)

I certify that I have examined this Statement and to the best of my knowledge and belief it is true, correct and complete.

Type or Print Name of Treasurer Gary Linker

Signature of Treasurer

Gary Linker

[Electronically Filed]

Date

10 16 2015

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Statement to the penalties of 2 U.S.C. §437g.
ANY CHANGE IN INFORMATION SHOULD BE REPORTED WITHIN 10 DAYS.

Office
Use
Only

For further information contact:
Federal Election Commission
Toll Free 800-424-9530
Local 202-694-1100

FEC FORM 1
(Revised 06/2012)

SUMMARY PAGE

of Receipts and Disbursements

Write or Type Committee Name

GREG GARRETT FOR CONGRESS

Report Covering the Period:

From:

01 / 01 / 2016

To:

02 / 10 / 2016

	COLUMN A This Period	COLUMN B Election Cycle-to-Date
6. Net Contributions (other than loans)		
(a) Total Contributions (other than loans) (from Line 11(e))	21027.00	55743.00
(b) Total Contribution Refunds (from Line 20(d))	0.00	0.00
(c) Net Contributions (other than loans) (subtract Line 6(b) from Line 6(a))	21027.00	55743.00
7. Net Operating Expenditures		
(a) Total Operating Expenditures (from Line 17)	14431.89	32079.19
(b) Total Offsets to Operating Expenditures (from Line 14)	0.00	0.00
(c) Net Operating Expenditures (subtract Line 7(b) from Line 7(a))	14431.89	32079.19
8. Cash on Hand at Close of Reporting Period (from Line 27)	73663.81	
9. Debts and Obligations Owed TO the Committee (Itemize all on Schedule C and/or Schedule D)	0.00	
10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C and/or Schedule D)	50000.00	

For further information contact:

Federal Election Commission
999 E Street, NW
Washington, DC 20463

Toll Free 800-424-9530
Local 202-694-1100

DETAILED SUMMARY PAGE of Receipts

FEC Form 3 (Revised 12/2003)

PAGE 3 / 18

Write or Type Committee Name

GREG GARRETT FOR CONGRESS

Report Covering the Period:

From:

M A R / E D / Y Y Y
01 01 2016

To:

M A R / E D / Y Y Y
02 10 2016**I. RECEIPTS****COLUMN A**
Total This Period**COLUMN B**
Election Cycle-to-Date**11. CONTRIBUTIONS (other than loans) FROM:****(a) Individuals/Persons Other Than
Political Committees****(i) Itemized (use Schedule A)**

19225.00

53225.00

(ii) Unitemized

1802.00

2518.00

(iii) TOTAL of contributions

from individuals

21027.00

55743.00

(b) Political Party Committees

0.00

0.00

(c) Other Political Committees

(such as PACs)

0.00

0.00

(d) The Candidate

0.00

0.00

(e) TOTAL CONTRIBUTIONS

(other than loans)

(add Lines 11(a)(iii), (b), (c), and (d)) ..

21027.00

55743.00

12. TRANSFERS FROM OTHER

AUTHORIZED COMMITTEES

0.00

0.00

13. LOANS:**(a) Made or Guaranteed by the**

Candidate

0.00

50000.00

(b) All Other Loans

0.00

0.00

(c) TOTAL LOANS

(add Lines 13(a) and (b))

0.00

50000.00

14. OFFSETS TO OPERATING

EXPENDITURES

(Refunds, Rebates, etc.)

0.00

0.00

15. OTHER RECEIPTS

(Dividends, Interest, etc.)

0.00

0.00

16. TOTAL RECEIPTS (add Lines

11(e), 12, 13(c), 14, and 15)

(Carry Total to Line 24, page 4)

21027.00

105743.00

DETAILED SUMMARY PAGE of Disbursements

FEC Form 3 (Revised 02/2003)

PAGE 4 / 18

II. DISBURSEMENTS	COLUMN A Total This Period	COLUMN B Election Cycle-to-Date
17. OPERATING EXPENDITURES.....	14431.89	32079.19
18. TRANSFERS TO OTHER AUTHORIZED COMMITTEES.....	0.00	0.00
19. LOAN REPAYMENTS:		
(a) Of Loans Made or Guaranteed by the Candidate.....	0.00	0.00
(b) Of All Other Loans	0.00	0.00
(c) TOTAL LOAN REPAYMENTS (add Lines 19(a) and (b)).....	0.00	0.00
20. REFUNDS OF CONTRIBUTIONS TO:		
(a) Individuals/Persons Other Than Political Committees	0.00	0.00
(b) Political Party Committees.....	0.00	0.00
(c) Other Political Committees (such as PACs)	0.00	0.00
(d) TOTAL CONTRIBUTION REFUNDS (add Lines 20(a), (b), and (c)).....	0.00	0.00
21. OTHER DISBURSEMENTS	0.00	0.00
22. TOTAL DISBURSEMENTS (add Lines 17, 18, 19(c), 20(d), and 21) ▶	14431.89	32079.19

III. CASH SUMMARY

23. CASH ON HAND AT BEGINNING OF REPORTING PERIOD.....	67068.70
24. TOTAL RECEIPTS THIS PERIOD (from Line 16, page 3).....	21027.00
25. SUBTOTAL (add Line 23 and Line 24)	88095.70
26. TOTAL DISBURSEMENTS THIS PERIOD (from Line 22).....	14431.89
27. CASH ON HAND AT CLOSE OF REPORTING PERIOD (subtract Line 26 from Line 25).....	73663.81



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 26, 2016

Gary Linker, Treasurer
Greg Garrett for Congress
4010 95th Street
Lubbock, TX 79423

C00589846
AF#: 3052

Dear Mr. Linker:

On April 20, 2016, the Federal Election Commission ("Commission") found reason to believe ("RTB") that Greg Garrett for Congress and you, in your official capacity as Treasurer ("respondents"), violated 52 U.S.C. § 30104(a) for failing to file the 2016 Pre-Primary Report. The Commission also made a preliminary determination that the civil money penalty was \$3,300 based on the schedule of penalties at 11 C.F.R. § 111.43.

After reviewing your written response and any supplemental information submitted by you and Commission staff, the Reviewing Officer has recommended that the Commission take no further action and close the file. A copy of the Reviewing Officer's recommendation is attached.

You may file with the Commission Secretary a written response to the recommendation within 10 days of the date of this letter. Your written response should be sent to the Commission Secretary, 999 E Street, NW, Washington, DC 20463 or via facsimile (202-208-3333). Please include the AF # in your response. Your response may not raise any arguments not raised in your original written response or not directly responsive to the Reviewing Officer's recommendation. 11 C.F.R. § 111.36(f). The Commission will then make a final determination in this matter.

Please contact me at the toll free number 800-424-9530 (press 0, then press 1660) or 202-694-1660 if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Rhiannon Magruder".

Rhiannon Magruder
Reviewing Officer
Office of Administrative Review



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

2016 AUG -9 PM 3: 24

August 9, 2016

MEMORANDUM

SENSITIVE

To: The Commission

Through: Alec Palmer *AP*
Staff Director

From: Patricia C. Orrock *PCO*
Chief Compliance Officer

Rhiannon Magruder *RM*
Reviewing Officer
Office of Administrative Review

Subject: Final Determination Recommendation in AF# 3052 – Greg Garrett for Congress and Gary Linker, in his official capacity as Treasurer (C00589846)

On April 20, 2016, the Commission found reason to believe ("RTB") that the respondents violated 52 U.S.C. § 30104(a) for failing to timely file the 2016 Texas Pre-Primary Report and made a preliminary determination that the civil money penalty was \$3,300 based on the schedule of penalties at 11 C.F.R. § 111.43.

On May 27, 2016, the Commission received their written response ("challenge"). After reviewing the challenge, the Reviewing Officer Recommendation ("ROR") dated July 22, 2016 was forwarded to the Commission, a copy was forwarded to the respondents, and is hereby incorporated by reference. The Reviewing Officer recommended that the Commission take no further action that Greg Garrett for Congress and Gary Linker, in his official capacity as Treasurer, violated 52 U.S.C. § 30104(a) and close the file.

Within 10 days of transmittal of the recommendation, they may file a written response with the Commission Secretary which may not raise any arguments not raised in their challenge or not directly responsive to the ROR. 11 C.F.R. § 111.36(f). As of this date, a response has not been received.

OAR Recommendations

- 1) Take no further action in AF# 3052 that Greg Garrett for Congress and Gary Linker, in his official capacity as Treasurer, violated 52 U.S.C. § 30104(a) and close the file; and
- 2) Send the appropriate letter.

2025 RELEASE UNDER E.O. 14176

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) AF 3052
Final Determination Recommendation:)
Greg Garrett for Congress and Gary)
Linker, in his official capacity as)
Treasurer (C00589846))

CERTIFICATION

I, Shelley E. Garr, Deputy Secretary of the Federal Election Commission,
do hereby certify that on August 17, 2016, the Commission decided by a vote of
6-0 to take the following actions in AF 3052:

1. Take no further action in AF# 3052 that Greg Garrett for Congress and Gary Linker, in his official capacity as Treasurer, violated 52 U.S.C. § 30104(a) and close the file.
2. Send the appropriate letters.

Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub
voted affirmatively for the decision.

Attest:

August 18, 2016
Date

Shelley E. Garr
Shelley E. Garr
Deputy Secretary of the Commission



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

August 23, 2016

Gary Linker, Treasurer
Greg Garrett for Congress
4010 95th Street
Lubbock, TX 79423

C00589846
AF#: 3052

Dear Mr. Linker:

On April 20, 2016, the Federal Election Commission ("the Commission") found reason to believe ("RTB") that Greg Garrett for Congress and you, in your official capacity as Treasurer, violated 52 U.S.C. § 30104(a) for failing to file the 2016 Pre-Primary Report. By letter dated April 21, 2016, the Commission sent notification of the RTB finding that included a civil money penalty calculated at RTB of \$3,300 in accordance with the schedule of penalties at 11 C.F.R. § 111.43. On May 27, 2016, the Office of Administrative Review received your written response challenging the RTB finding.

The Reviewing Officer reviewed the Commission's RTB finding with its supporting documentation and your written response. Based on this review, the Reviewing Officer recommended that the Commission take no further action. The Reviewing Officer Recommendation was sent to you on July 26, 2016.

On August 17, 2016, the Commission adopted the Reviewing Officer's recommendation to take no further action with respect to 52 U.S.C. § 30104(a) and close the file. A copy of the Final Determination Recommendation is attached.

The confidentiality provisions at 52 U.S.C. § 30109(a)(12) no longer apply and this matter is now public. Pursuant to 11 C.F.R. §§ 111.42(b) and 111.20(c), the file will be placed on the public record within 30 days from the date of this notification.

If you have any questions regarding this matter, please contact Rhiannon Magruder on our toll free number (800) 424-9530 (press 0, then ext. 1660) or (202) 694-1660.

On behalf of the Commission,

A handwritten signature in black ink, appearing to read "Matthew S. Petersen".

Matthew S. Petersen
Chair

[illegible]